

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION**

**DONNA CURLING, ET AL.,  
Plaintiffs,**

**v.**

**BRAD RAFFENSPERGER, ET AL.,  
Defendants.**

**Civil Action No. 1:17-CV-2989-AT**

**CURLING PLAINTIFFS’ NOTICE OF JOINDER IN COALITION  
PLAINTIFFS’ OCTOBER 6, 2021 MOTION TO SEVER, GRANT MOTION  
FOR ATTORNEY’S FEES, GRANT MOTION FOR SANCTIONS,  
AND ENTER FINAL JUDGEMENT ON SEVERED CLAIMS**

With respect to their own Third Amended Complaint (Dkt. 627) (the “Curling Complaint”), Donna Curling, Donna Price, and Jeffrey Schoenberg (“Curling Plaintiffs”) hereby join Coalition Plaintiffs in their Motion to Sever (Dkt. 1182) (“Motion”) and, for the same reasons articulated in the Motion, respectfully move to sever the “DRE Claims” from the “Post-DRE Claims” in the Curling Complaint and to enter final judgement on the DRE Claims in the Curling Complaint. Rather than burden this Court with duplicative briefing regarding the DRE Claims in the Curling Complaint, Curling Plaintiffs join Coalition Plaintiffs in their arguments that granting the Motion is proper and warranted at this time. (See Dkt. 751 at 15-25.) Severance facilitates final resolution of the DRE Claims

per the pending, unappealed injunction granted on those claims; streamlines the adjudication of the remaining claims which is consistent with the requirements of Federal Rule of Civil Procedure 1; and affords Curling Plaintiffs, as prevailing parties, prompt recovery of the extraordinary fees and costs spent on obtaining the pending, unappealed injunction that the Secretary of State admits led to the elimination of the DRE election system this Court enjoined.<sup>1</sup>

Respectfully submitted this 19th day of October, 2021.

/s/ David D. Cross

David D. Cross (*pro hac vice*)  
 Veronica Ascarrunz (*pro hac vice*)  
 Lyle P. Hedgecock (*pro hac vice*)  
 Mary G. Kaiser (*pro hac vice*)  
 Robert W. Manoso (*pro hac vice*)  
 MORRISON & FOERSTER LLP  
 2100 L Street, NW, Suite 900  
 Washington, DC 20037  
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/s/ Halsey G. Knapp, Jr.

Halsey G. Knapp, Jr.  
 GA Bar No. 425320  
 Adam M. Sparks  
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 Atlanta, GA 30309  
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*Counsel for Plaintiffs Donna Curling, Donna Price & Jeffrey Schoenberg*

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<sup>1</sup> “We stood up a new voting system, new voting machines in less than six months. And that was really because we had an activist federal judge that said you can’t use the old DRE machines. And so we had to do that for the first primary that we had coming up.” Rev.com, Inc., *Georgia Secretary of State Brad Raffensperger Press Conference Transcript: Announces Hand Recount* (Nov. 11, 2020), <https://www.rev.com/blog/transcripts/georgia-secretary-of-state-brad-raffensperger-press-conferencetranscript-announces-hand-recount>; *see also*, Dkt. 589 at 4-5 (State Defendants arguing that the Court could provide no further relief regarding DRE claims because “Plaintiffs’ claims—which are limited to the DRE/GEMS system—are moot: the Order prevents the GEMS/DRE system from being used in 2020 elections”) (emphasis added).

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**CERTIFICATE OF COMPLIANCE**

Pursuant to LR 7.1(D), I hereby certify that the foregoing document has been prepared in accordance with the font type and margin requirements of LR 5.1, using font type of Times New Roman and a point size of 14.

/s/ David D. Cross  
David D. Cross

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**CERTIFICATE OF SERVICE**

I hereby certify that on October 19, 2021, a copy of the foregoing  
**CURLING PLAINTIFFS' NOTICE OF JOINDER IN COALITION  
PLAINTIFFS' OCTOBER 6, 2021 MOTION TO SEVER, GRANT MOTION  
FOR ATTORNEY'S FEES, GRANT MOTION FOR SANCTIONS, AND  
ENTER FINAL JUDGEMENT ON SEVERED CLAIMS** was electronically  
filed with the Clerk of Court using the CM/ECF system, which will automatically  
send notification of such filing to all attorneys of record.

/s/ David D. Cross  
David D. Cross